

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re FTCA Flint Water Cases

Civil No. 4:17-cv-11218
(Consolidated)

Linda V. Parker
United States District Judge

_____/

This Order Relates to:

ALL CASES

**STIPULATED ORDER DIRECTING LAURIE FULLER, INDIVIDUALLY
AND ON BEHALF OF MINOR CHILD P.F., TO PARTICPATE IN FTCA
BELLWETHER DISCOVERY**

The parties have met and conferred and stipulate that Plaintiff Laurie Fuller, on her own behalf as well as on behalf of P. F., be ordered and directed to comply with the discovery requests served by the Defendant United States of America within the time limits prescribed in the Third Stipulated Order to Case Management Order No. 4 (CMO 4), or that her claims be dismissed with prejudice. Specifically, the parties agree—and the Court orders—that Plaintiff Laurie Fuller, on her own behalf as well as on behalf of Plaintiff P. F., is hereby ordered to participate in the Federal Tort Claims Act (FTCA) Discovery Group Process. This participation shall include, but is not limited to, the following discovery requirements:

Home Inspections: Plaintiff Fuller shall permit home inspections for the purposes of inspection, photographing, sampling, and testing of any residence(s) in which Plaintiff Fuller may have been exposed to lead in Flint, Michigan, from 2014 to present. CMO ¶ 4 II (7). Plaintiff shall permit such inspection within 30 days of the entry of this order, or her case will be automatically dismissed.

Federal Rule of Civil Procedure 35 Defendant Medical Examinations (DMEs): Plaintiff P.F. shall undergo defense medical examinations (DMEs) to be conducted by licensed medical professionals retained by the United States, subject to the Rule 35 DME Protocol. CMO ¶ 4 II (8). Plaintiff P. F. shall undergo the medical examination on or before August 13, 2023, or her case will be automatically dismissed.

Depositions of FTCA Discovery Group Plaintiffs: Plaintiff Fuller and P.F. are required to participate in a deposition to be taken by the United States. CMO ¶ 4 II (4). Plaintiffs shall participate in such deposition within 45 days of the entry of this order or their cases will be automatically dismissed.

Plaintiff Fuller is hereby ordered to provide her full cooperation and consent to the aforementioned discovery requirements. In the event that Plaintiff Fuller fails to comply with this order, all claims of Plaintiff Laurie Fuller, and of the minor Plaintiff

P. F., shall be dismissed with prejudice.

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: May 25, 2023

Dated: May 25, 2023

Respectfully submitted,

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